



State of Utah

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August 9, 2002

TO: Internal File

THRU: Gregg Galecki, Sr. Reclamation Specialist 

FROM: Joseph C. Helfrich, Sr. Reclamation Specialist 

RE: Midterm Permit Review, Nevada Electric Investment Company, Wellington Preparation Plant, C/007/012-MT02

SUMMARY:

The midterm review for the Wellington Preparation Plant was initiated by way of Division correspondence to Patrick Collins, Resident Agent on June 17, 2002. The following items were chosen for review:

1. An AVS check to ensure that Ownership and Control information is current and correct.
2. A review of the plan to ensure that the requirements of all permit conditions, division orders, notice of violation abatement plans, and permittee-initiated plan changes are appropriately incorporated into the plan document.
3. A review of the applicable portions of the permit to ensure that the plan contains commitments for application of the best technology currently available (BTCA) to prevent additional contributions of suspended solids to stream flows outside of the permit area.
4. A review of the bond to ensure that it is in order and that the cost estimate is accurate and is escalated to the appropriate year dollars.
5. The Division will conduct a technical site visit in conjunction with the assigned compliance inspector to document the status and effectiveness of operational, reclamation, and contemporaneous reclamation practices.

This memo will address items one and two.

TECHNICAL MEMO

GENERAL CONTENTS

IDENTIFICATION OF INTERESTS

Regulatory Reference: 30CFR773.22; 30CFR778.13; R645-301-112

Analysis:

The ownership and control information is provided for in chapter one of the MRP. Mr. Collins informed the Division that there were changes in the corporate structure that were being prepared for submission to the Division. Upon receipt of this information the Division will update the MRP and the AVS.

Findings:

Prior to approval the permittee must provide the following in accordance with, **R645-301-112**, The updated ownership and control information needs to be provided to the Division.

VIOLATION INFORMATION

Regulatory Reference: 30CFR773.15(b); 30CFR773.23; 30CFR778.14; R645-300-132; R645-301-113

Analysis:

There are no outstanding notice of violation abatement plans for the Wellington Preparation plant facility. There have been no coal mining and reclamation operations in the name of Nevada Electric Investment Company revoked or suspended nor has there been a performance bond forfeited in the five years proceeding this review.

Findings:

The Wellington Preparation Plant facility has met the regulatory requirements for this portion (item #2) of the midterm review.

SPECIAL CONDITIONS OR STIPULATIONS TO THE PERMIT APPROVAL

Regulatory References: 30 CFR773.17; R645-300-140; R645-300-145.

TECHNICAL MEMO

Analysis:

The permit was renewed on December 10, 1999 and expires December 10, 2004. One stipulation is attached to the permit. The stipulation requires water-monitoring data to be submitted electronically into the Division's Water Quality Database. The data entry has been completed as required.

Findings:

There are no special conditions or stipulations attached to the current permit. The permittee-initiated plan changes have been incorporated into the plan document. The Wellington Preparation plant facility has met the regulatory requirements for this portion (item#2) of the midterm review.

RECOMMENDATION:

The approval of the midterm review is not recommended at this time.